

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RAMON NAVARRO LUPERCIO,

Plaintiff,

v.

LOPEZ, *et al.*,

Defendants.

No. 1:21-cv-00240-NONE-BAM (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS RECOMMENDING
DISMISSAL OF ACTION, WITH
PREJUDICE, DUE TO PLAINTIFF'S
FAILURE TO STATE A COGNIZABLE
CLAIM AND AS FRIVOLOUS

(Doc. No. 22)

Plaintiff Ramon Navarro Lupercio is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983.

On August 20, 2021, the assigned magistrate judge screened plaintiff's first amended complaint and issued findings and recommendations recommending that this action be dismissed, with prejudice, due to plaintiff's failure to state a cognizable claim and as frivolous pursuant to 28 U.S.C. § 1915(e). (Doc. No. 22.) Those findings and recommendations were served on plaintiff and contained notice that any objections thereto were to be filed within fourteen days after service. (*Id.* at 5.) Plaintiff has not filed objections, and the deadline to do so has now passed.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this court has conducted a *de novo* review of this case. Having carefully reviewed the entire file, the court finds the findings and recommendations to be supported by the record and by proper analysis.

Accordingly,

1. The findings and recommendations issued on August 20, 2021, (Doc. No. 22), are adopted in full;
2. This action is dismissed, with prejudice, due to plaintiff's failure to state a cognizable claim and as frivolous pursuant to 28 U.S.C. § 1915(e); and
3. The Clerk of the Court is directed to assign a district judge to this case for the purpose of closing the case and then to close this case.

IT IS SO ORDERED.

Dated: September 21, 2021


UNITED STATES DISTRICT JUDGE